IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.715 OF 2004
IN
SUMMARY SUIT NO.849 OF 2004

Shruti Colorants Ltd. ..Plaintiffs

Vs.

Shree Rang Rasayan .. Defendants

Mr.V.P.Vaidya for the plaintiffs

Mr.K.G.S.Tripathi for the defendants

CORAM : S.U.KAMDAR, J
DATED : 27TH SEPTEMBER, 2005

P.C.:

1. Leave to amend. Amendment to be carried out within one week.

2. The present suit is filed on goods sold and delivered. Defendants are disputing the delivery of the goods. Plaintiffs have no delivery challans or any other evidence to show that the goods are delivered. In that view of the matter, unconditional leave to defend is granted. Summons for Judgment is dismissed accordingly. Suit is transferred to the list of Commercial Causes. Written Statement or points of defence to be filed

within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.